

FISCAL NOTE

HB 3151 - SB 3078

February 28, 2002

SUMMARY OF BILL: Enacts the "Tennessee Standard Safety Belt Use Act" which deletes existing provisions regarding safety belt use and instead:

- requires every operator of a motor vehicle to be restrained by a safety belt that meets applicable motor vehicle standards.
- requires every occupant of a vehicle to be restrained in a properly adjusted and fastened safety belt or a child restraint system.
- specifies that individuals with disabling conditions that prevent appropriate restraint in safety belts are not required to wear them as long as such condition is certified in writing by a physician.
- provides that violations is a class C misdemeanor punishable by a fine of not less than \$25 nor more than \$50 plus court costs. Operators of motor vehicles not wearing safety belts or driving with passengers not properly restrained shall be assessed two points for the purpose of driver license records.
- authorizes a law enforcement officer who observes a violation of the provisions to issue a citation to the violator.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - Exceeds \$1,000,000

Increase Local Govt. Revenues - Exceeds \$500,000

Other Fiscal Impact - Shifts approximately \$480,000 from the Division of Vocational Rehabilitation to the state's general fund as current law provides for most of the fines from seatbelt violations to be used exclusively by the Division of Vocational Rehabilitation in T.C.A. 55-9-603(d)(1) and the provisions of the bill do not direct the funds to this Division.

Estimate assumes:

- current average fine for seatbelt violation of \$12 and an expected average fine under the provisions of the bill of \$30.
- currently there are approximately 42,000 seatbelt violations annually.
- an increase in seatbelt violations of 20% as a result of law enforcement being authorized to issue citations without requiring a separate violation as under current law.
- clerks will receive commission on fines collected.

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- arrest fees of \$15 per citation with approximately one-third going to the state and the remainder to local governments. Under current statute no such fees are assessed for seatbelt violations in accordance with T.C.A. 55-9-603(e).
- an increase in local government revenues from other court costs assessed on violators. Under current statute no court costs are assessed for seatbelt violations in accordance with T.C.A. 55-9-603(e).
- 95% collection rate on fines and costs.
- under current law, most of the proceeds from fines collected for seatbelt violations are earmarked for the Department of Vocational Rehabilitation. Half of the fine for second or subsequent offenses goes into the general fund.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director